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28 Gregory Bender

13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

15 GREGORY BENDER

16) Case No. 09-CV-01246-CRB

17 Plaintiff,

18)

19 v.

20) **STIPULATION AND [PROPOSED]—**
21) **ORDER TO EXTEND TIME TO**
22) **RESPOND TO AMENDED**
23) **COMPLAINT**

24 SONY CORPORATION OF AMERICA, a New
25 York corporation,

26 Defendant.

27)

28)

22 RECITALS

23 WHEREAS, the Complaint of Plaintiff Gregory Bender (“Plaintiff”) in this action was
24 filed on or about March 23, 2009;

25 WHEREAS, the Amended Complaint of Plaintiff in this action was filed on or about May
26 20, 2009;

WHEREAS, Defendant Sony Corporation of America's ("Sony's") response to Plaintiff's Amended Complaint is due on September 16, 2009;

WHEREAS, Plaintiff filed a Stipulation to File a Second Amended Complaint on September 15, 2009;

WHEREAS, this extension will provide time for the Court to determine whether accept the parties stipulation regarding Plaintiff's Second Amended Complaint; and

WHEREAS, this additional time will not interfere with any other deadlines set by the Court in this matter.

STIPULATION

Pursuant to Local Rule 6-1(a), IT IS HEREBY STIPULATED AND AGREED by the parties, through their counsel, that the time within which Sony shall be required to file its answer, motion, counterclaim, cross-claim and/or other responses to Plaintiff's Amended Complaint in this action shall be extended to and including September 30, 2009 or such other time as may be required to respond to a Second Amended Complaint if allowed by the Court.

APPROVED AS TO FORM AND CONTENT

DATED: September 16, 2009

STEVEN M. BAUER
MICHAEL A. FIRESTEIN
JACOB K. BARON
PROSKAUER ROSE LLP

/s/ Jacob K. Baron

Attorneys for Defendant,
Sony Corporation of America

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2 DATED: September 16, 2009
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DAVID N. KUHN

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/s/ David N. Kuhn

David N. Kuhn

Attorney for Plaintiff,
Gregory Bender

1 DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B
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3 I, Jacob K. Baron, hereby declare pursuant to General Order 45, § X.B, that I have
4 obtained the concurrence on the filing of this document from the all the signatories listed above.

5 I declare under penalty of perjury that the foregoing declaration is true and correct.
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7 DATED: September 16, 2009
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9 /s/ Jacob K. Baron
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11 Jacob K. Baron
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[PROPOSED] ORDER

Having considered the foregoing Stipulation, and good cause appearing,

3 (1) The time within which Sony shall be required to file its answer, motion,
4 counterclaim, cross-claim and/or other response to Plaintiff's Amended Complaint in this action
5 shall be extended to and including September 30, 2009 or such other time as may be required to
6 respond to a Second Amended Complaint if allowed by the Court.

IT IS SO ORDERED

DATED: September 16, 2009

